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June 24, 2019

**VIA ELECTRONIC MAIL (r4foia@epa.gov)**

Regional Freedom of Information Officer  
U.S. Environmental Protection Agency, Region 4  
AFC Building  
61 Forsyth Street, SW  
9th Floor (4PM/IF)  
Atlanta, GA 30303<sup>1</sup>

**Re: Freedom of Information Act Request – NRC 1158584**

To Whom It May Concern:

Pursuant to the United States Freedom of Information Action 5 U.S.C. § 552, as amended, I am requesting the opportunity to review all documents in the possession of the U.S. Environmental Protection Agency (“EPA”) concerning any regulatory proceedings, investigations, inspections, violations, production reports, actions, orders, and/or applications relating to the failure of Colonial Pipeline Company’s (“Colonial”) Pipeline No. One (“Line #1”) that was discovered on or about September 9, 2016 near County Road 91 in Pelham, Shelby County, Alabama (the “CR-91 Event”). This request includes, but is not limited to, the following:

1. All documents regarding any actual or alleged petroleum discharge relating to the CR-91 Event, including, but not limited to:
  - a. Records of any investigation of the petroleum discharges;
  - b. Records of groundwater monitoring related to such discharges;
  - c. Any report, complaint, or other document related to the petroleum discharges; and
  - d. All communications regarding such report, complaint, or other document related to such discharges.

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<sup>1</sup> It is our understanding that the pertinent information and documents sought by this FOIA Request are located at the EPA’s Region 4 office. If this is not the case, and this FOIA Request should be directed to the EPA’s main office, please let us know.

June 24, 2019

Page 2 of 4

2. Any and all communications between EPA and any third party, including, but not limited to, Colonial, related to the CR-91 Event.
3. All maps, surveys, notes, and field studies related to the CR-91 Event and the area surrounding where the CR-91 Event occurred.
4. All materials or documents, including reports, maps, memoranda, findings, or studies related to:
  - a. Inspections and/or investigations conducted by EPA of the CR-91 Event.
5. All materials or documents, including reports, maps, memoranda, findings, or studies related to inspections and/or investigations submitted to EPA related to the CR-91 Event.
6. All documents relating to any investigations and/or inspections concerning the failure of Line #1 and the resulting CR-91 Event.
7. All reports or studies regarding the environmental contamination relating to the CR-91 Event, including actual or potential groundwater contamination and groundwater monitoring results.
8. All documents regarding actual or alleged environmental permit violations by Colonial related to the CR-91 Event.
9. All reports, findings, or summaries of any inspection of the CR-91 Event and the area surrounding where the CR-91 Event occurred.
10. All documents, including, but not limited to, communications with Colonial, relating to any seeps, leaks, spills, and/or breaches relating to the CR-91 Event.
11. All documents, including, but not limited to, communications with Colonial, relating to any actual or contemplated closure of Line #1 prior to the CR-91 Event.
12. All documents related to any investigation and/or remediation activity concerning the CR-91 Event.

June 24, 2019

Page 3 of 4

13. All documents, including, but not limited to, communications, related to any investigation, inspection, and/or remediation activity concerning Pond #1<sup>2</sup>, Pond #2<sup>3</sup>, and/or Pond #3<sup>4</sup> located near the area where the CR-91 Event occurred.
14. Any memoranda of agreement, consent agreements, covenants not to sue, no further action letters, variances, records of decision, administrative orders, notices of violation, consent decrees, and/or agreements related to the CR-91 Event.
15. All documents reflecting, relating to, or referring to negotiations and/or agreements with Colonial related to the CR-91 Event.
16. Any and all permits, applications, maps, photographs, internal memoranda, handwritten notes or memoranda, telephone notations, and statements and written records of any kind concerning the environmental investigation and/or remediation of any actual or alleged petroleum discharges related to the CR-91 Event.
17. Any and all EPA opinions related to compliance and/or remediation concerning or relating to the CR-91 Event.
18. Any and all documents, materials, or communications relating to any maintenance and/or services performed on Line #1 no more than five (5) years prior to the CR-91 Event.
19. Any information related to the environmental compliance history of Line #1, or the history of Colonial's pipeline in general.

For purposes of this request, the term "document" includes, without limitation, all correspondence, memoranda, inter-agency and intra-agency communications, minutes, reports, notes, analyses, maps, photographs, contracts, proposals, and all other such documents, tangible or retrievable, of any kind, generated by you or any other person or entity, including, but not limited to, Colonial, in connection with any civil and/or administrative investigation, remediation, and/or legal action against any potentially liable person or entity relating to the CR-91 Event.

I would request a prompt response to this request. If you expect a significant delay in responding to or fulfilling this request, please contact me with information about when I might expect copies or the ability to inspect the requested records. In the event that a determination is made that some

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<sup>2</sup> "Pond #1" refers to the retention pond located just south of Line #1 where the CR-91 Event occurred. Pond #1 is located in Shelby County, Alabama.

<sup>3</sup> "Pond #2" refers to the retention pond located approximately 460 feet to the north of Line #1, and is the location of where approximately 6,000 barrels of gasoline were dispersed into and collected as a result of the CR-91 Event. Pond #2 is located near mile post 5163+89 (MP 5163+89), on Line #1, in Shelby County, Alabama, approximately three miles from Pelham, Alabama. Pond #2 is bounded by Line #1 to the south and another pond, Pond #3, to the north.

<sup>4</sup> "Pond #3" refers to the retention pond located to the north of Pond #2. Pond #3 is located in Shelby County, Alabama. There is a culvert that connects Pond #3 with Pond #2.

June 24, 2019

Page 4 of 4

or all of the documents requested are exempt from disclosure under statutory law, please identify those documents withheld and the basis for EPA's exemption in each instance. Additionally, if for any reason the requested information is not in your possession, please so advise and indicate, if possible, where such information can be obtained.

We are requesting that any responsive documents be compiled at our expense not to exceed \$500. If documents exceed \$500, we suggest an index be created so that we may highlight and identify which documents we are interested in reproducing.

Thank you for your attention to this matter. Please do not hesitate to contact me at (312) 784-5425 with any questions

Very truly yours,

HINKHOUSE WILLIAMS WALSH LLP

A handwritten signature in black ink, reading "Stephanie Sauve". The signature is written in a cursive, flowing style.

Stephanie A. Sauve